



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3027

Introduced 2/23/2011, by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.31a	from Ch. 122, par. 10-22.31a
105 ILCS 5/18-12	from Ch. 122, par. 18-12
105 ILCS 5/26-2a	from Ch. 122, par. 26-2a

Amends the School Code. Makes changes concerning the execution of joint agreements on forms, the certification and filing of State aid claims, and the definition of "dropout".

LRB097 10156 NHT 50344 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 10-22.31a, 18-12, and 26-2a as follows:

6 (105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)

7 Sec. 10-22.31a. Joint educational programs. To enter into
8 joint agreements with other school boards or public
9 institutions of higher education to establish any type of
10 educational program which any district may establish
11 individually, to provide the needed educational facilities and
12 to employ a director and other professional workers for such
13 program. The director and other professional workers may be
14 employed by one district which shall be reimbursed on a
15 mutually agreed basis by other districts that are parties to
16 the joint agreement. Such agreements may provide that one
17 district may supply professional workers for a joint program
18 conducted in another district. Such agreement shall be executed
19 on forms ~~provided by the State Board of Education~~ and shall
20 include, but not be limited to, provisions for administration,
21 staff, programs, financing, housing, transportation and
22 advisory body and provide for the withdrawal of districts from
23 the joint agreement by petition to the regional board of school

1 trustees. Such petitions for withdrawal shall be made to the
2 regional board of school trustees of the region having
3 supervision and control over the administrative district and
4 shall be acted upon in the manner provided in Article 7 for the
5 detachment of territory from a school district.

6 To designate an administrative district to act as fiscal
7 and legal agent for the districts that are parties to such a
8 joint agreement.

9 (Source: P.A. 86-198; 86-1318.)

10 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

11 Sec. 18-12. Dates for filing State aid claims. The school
12 board of each school district shall require teachers,
13 principals, or superintendents to furnish from records kept by
14 them such data as it needs in preparing and certifying to the
15 State Superintendent of Education ~~regional superintendent~~ its
16 school district report of claims provided in Sections 18-8.05
17 through 18-9 as required by the State Superintendent of
18 Education. The district claim shall be based on the latest
19 available equalized assessed valuation and tax rates, as
20 provided in Section 18-8.05 and shall use the average daily
21 attendance as determined by the method outlined in Section
22 18-8.05 and shall be certified and filed with the State
23 Superintendent of Education ~~regional superintendent~~ by June 21
24 for districts with an official school calendar end date before
25 June 15 or within 2 weeks following the official school

1 calendar end date for districts with a school year end date of
2 June 15 or later. ~~The regional superintendent shall certify and~~
3 ~~file with the State Superintendent of Education district State~~
4 ~~aid claims by July 1 for districts with an official school~~
5 ~~calendar end date before June 15 or no later than July 15 for~~
6 ~~districts with an official school calendar end date of June 15~~
7 ~~or later.~~ Failure to so file by these deadlines constitutes a
8 forfeiture of the right to receive payment by the State until
9 such claim is filed and vouchered for payment. The ~~regional~~
10 ~~superintendent of schools shall certify the county report of~~
11 ~~claims by July 15; and the State Superintendent of Education~~
12 shall voucher for payment those claims to the State Comptroller
13 as provided in Section 18-11.

14 Except as otherwise provided in this Section, if any school
15 district fails to provide the minimum school term specified in
16 Section 10-19, the State aid claim for that year shall be
17 reduced by the State Superintendent of Education in an amount
18 equivalent to $1/176$ or .56818% for each day less than the
19 number of days required by this Code.

20 If the State Superintendent of Education determines that
21 the failure to provide the minimum school term was occasioned
22 by an act or acts of God, or was occasioned by conditions
23 beyond the control of the school district which posed a
24 hazardous threat to the health and safety of pupils, the State
25 aid claim need not be reduced.

26 If a school district is precluded from providing the

1 minimum hours of instruction required for a full day of
2 attendance due to an adverse weather condition or a condition
3 beyond the control of the school district that poses a
4 hazardous threat to the health and safety of students, then the
5 partial day of attendance may be counted if (i) the school
6 district has provided at least one hour of instruction prior to
7 the closure of the school district, (ii) a school building has
8 provided at least one hour of instruction prior to the closure
9 of the school building, or (iii) the normal start time of the
10 school district is delayed.

11 If, prior to providing any instruction, a school district
12 must close one or more but not all school buildings after
13 consultation with a local emergency response agency or due to a
14 condition beyond the control of the school district, then the
15 school district may claim attendance for up to 2 school days
16 based on the average attendance of the 3 school days
17 immediately preceding the closure of the affected school
18 building. The partial or no day of attendance described in this
19 Section and the reasons therefore shall be certified within a
20 month of the closing or delayed start by the school district
21 superintendent to the regional superintendent of schools for
22 forwarding to the State Superintendent of Education for
23 approval.

24 No exception to the requirement of providing a minimum
25 school term may be approved by the State Superintendent of
26 Education pursuant to this Section unless a school district has

1 first used all emergency days provided for in its regular
2 calendar.

3 If the State Superintendent of Education declares that an
4 energy shortage exists during any part of the school year for
5 the State or a designated portion of the State, a district may
6 operate the school attendance centers within the district 4
7 days of the week during the time of the shortage by extending
8 each existing school day by one clock hour of school work, and
9 the State aid claim shall not be reduced, nor shall the
10 employees of that district suffer any reduction in salary or
11 benefits as a result thereof. A district may operate all
12 attendance centers on this revised schedule, or may apply the
13 schedule to selected attendance centers, taking into
14 consideration such factors as pupil transportation schedules
15 and patterns and sources of energy for individual attendance
16 centers.

17 Electronically submitted State aid claims shall be
18 submitted by duly authorized district or regional individuals
19 over a secure network that is password protected. The
20 electronic submission of a State aid claim must be accompanied
21 with an affirmation that all of the provisions of Sections
22 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
23 all respects.

24 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
25 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)

1 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

2 Sec. 26-2a. A "truant" is defined as a child subject to
3 compulsory school attendance and who is absent without valid
4 cause from such attendance for a school day or portion thereof.

5 "Valid cause" for absence shall be illness, observance of a
6 religious holiday, death in the immediate family, family
7 emergency, and shall include such other situations beyond the
8 control of the student as determined by the board of education
9 in each district, or such other circumstances which cause
10 reasonable concern to the parent for the safety or health of
11 the student.

12 "Chronic or habitual truant" shall be defined as a child
13 subject to compulsory school attendance and who is absent
14 without valid cause from such attendance for 10% or more of the
15 previous 180 regular attendance days.

16 "Truant minor" is defined as a chronic truant to whom
17 supportive services, including prevention, diagnostic,
18 intervention and remedial services, alternative programs and
19 other school and community resources have been provided and
20 have failed to result in the cessation of chronic truancy, or
21 have been offered and refused.

22 A "dropout" is defined as any child enrolled in grades one
23 ~~9~~ through 12 whose name has been removed from the district
24 enrollment roster for any reason other than the student's
25 death, extended illness, removal for medical non-compliance,
26 expulsion, ~~aging out~~, graduation, or completion of a program of

1 studies and who has not transferred to another public or
2 private school or moved out of the United States ~~and is not~~
3 ~~known to be home schooled by his or her parents or guardians or~~
4 ~~continuing school in another country.~~

5 "Religion" for the purposes of this Article, includes all
6 aspects of religious observance and practice, as well as
7 belief.

8 (Source: P.A. 96-1423, eff. 8-3-10.)